

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ROBERT WOLF,

Plaintiff,

v.

Civ. No. 23-1120 JCH/SCY

TIMOTHY HATCH; JOHN  
SANCHEZ; KRISTAL RIVERA;  
CHERLY DOREN; and CARL  
WILKENS,

Defendants.

**ORDER OVERRULING OBJECTIONS AND  
ADOPTING PROPOSED FINDINGS AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Steven C. Yarbrough's August 6, 2025 Proposed Findings And Recommended Disposition ("PFRD"). Doc. 39. In that PFRD, Judge Yarbrough recommends that the Court: (1) deny Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order, Doc. 24; (2) deny Plaintiff's Motion for Witness Statement, Doc. 31; (3) deny Plaintiff's Motion for Default Judgment, Doc. 32; (4) grant summary judgment in part Defendants' favor, finding that Plaintiff failed to exhaust his administrative remedies regarding his claims for rejection of a PLRA book on February 10, 2022, March 11, 2022, and March 30, 2022, and dismiss those claims without prejudice; and (5) deny summary judgment in part as to Plaintiff's First Amendment and due process claims regarding rejections of books and publications on March 30, 2022 (related to Prison Legal News), April 16, 2022, May 10, 2022, June 2, 2023, and June 14, 2023. *Id.* at 19-20. Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any

objections to the PFRD. *Id.* at 20. On September 4, 2025, Plaintiff filed objections to the PFRD. Doc. 42.

Pursuant to Fed. R. Civ. P. 72(b), the Court has conducted a de novo review of the record and all parts of the PFRD that have been properly objected to. After conducting this de novo review, and having thoroughly considered the PFRD and the objections, the Court finds no reason either in law or fact to depart from the PFRD's recommended disposition.

**IT IS THEREFORE ORDERED THAT:**

1. Plaintiff's Objections (Doc. 42) are OVERRULED;
2. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition (Doc. 39);
3. Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (Doc. 24) is DENIED;
4. Plaintiff's Motion for Witness Statement (Doc. 31) is DENIED;
5. Plaintiff's Motion for Default Judgment (Doc. 32) is DENIED;
6. Summary judgment is GRANTED IN PART in Defendants' favor as to Plaintiff's claims for rejection of a PLRA book on February 10, 2022, March 11, 2022, and March 30, 2022 and those claims are DISMISSED WITHOUT PREJUDICE; and
7. Summary judgment is DENIED IN PART as to Plaintiff's claims regarding rejections of books and publications on March 30, 2022 (related to Prison Legal News), April 16, 2022, May 10, 2022, June 2, 2023, and June 14, 2023.

**IT IS SO ORDERED.**

  
SENIOR UNITED STATES DISTRICT JUDGE